

debt in full within 90 days, or such period of time as is acceptable to the creditor, and informed that failure to do so may be grounds for removal.

(f) When an employee is the subject of a letter of complaint from a creditor who does not hold a legal judgment against the employee, the Personnel Director shall forward a copy of the letter to the employee together with a memorandum calling the employee's attention to the provisions of this order. However, the Section will not assist the creditor in collecting the debt.

§ 1100.12 Gifts, entertainment, and favors.

(a) Except as provided below, an employee shall not solicit or accept, directly or indirectly, any gift, gratuity, favor, entertainment, loan, or any other things of monetary value, from a person who:

(1) Has, or is seeking to obtain, contractual or other business or financial relations with the Section;

(2) Conducts operations or activities that are regulated by the Section; or

(3) has interests that may be substantially affected by the performance or nonperformance of his official duty.

(b) The restrictions set forth above do not apply to:

(1) Obvious family or personal relationships, such as those between the employee and his parents, children, or spouse, when the circumstances make it clear that those relationships rather than the business of the persons concerned are the motivating factors;

(2) The acceptance of food and refreshments of nominal value on infrequent occasions in the ordinary course of a luncheon or dinner meeting or an inspection tour where an employee may be properly in attendance;

(3) The acceptance of loans from banks or other financial institutions on customary terms to finance proper and usual activities of employees, such as home or automobile mortgage loans; and

(4) The acceptance of unsolicited advertising or promotional material, such as pens, pencils, note pads, calendars, and other items of nominal intrinsic value.

(c) An employee shall not solicit a contribution from another employee for a gift to an official superior, make a donation as a gift to an official superior, or accept a gift from an employee receiving less pay than himself (5 U.S.C. 7351). However, this paragraph does not prohibit a voluntary gift of nominal value or donation in a nominal amount made on a special occasion such as marriage, illness, or retirement.

(d) An employee shall not accept a gift, present, decoration, or other thing from a foreign government unless authorized by Congress as provided by the Constitution and in 5 U.S.C. 7342.

(e) This order does not preclude an employee from receipt of bona fide reimbursement, unless prohibited by law, for expenses of travel and such other necessary subsistence as is compatible with this Order for which no Government payment or reimbursement is made. However, this Order does not allow an employee to be reimbursed, or payment to be made on his behalf, for excessive personal living expenses, gifts, entertainment, or other personal benefits, nor does it allow an employee to be reimbursed by a person for travel on official business under Section orders when reimbursement is proscribed by Decision B -128527 of the Comptroller General dated March 7, 1967.

(f) A gift or gratuity, the receipt of which is prohibited by this Order shall be returned to the donor with a written explanation why the return is necessary. A copy of the written explanation shall be submitted to the Personnel Director for filing in the employee's Official Personnel Folder (left side). When the return of the gift is not possible, the gift or gratuity shall be submitted to the Personnel Director with a written explanation why the return is not feasible. The Personnel Director shall turn the gift or gratuity over to a public or private charity or charitable organization.

§ 1100.13 Financial interests.

(a) An employee shall not:

(1) Have a direct or indirect financial interest that conflicts substantially, or appears to conflict substantially, with his Government duties and responsibilities; or

§ 1100.14

(2) Engage in, directly or indirectly, a financial transaction as a result of, or primarily relying on, information obtained through his Government employment.

(b) The Order does not preclude an employee from having a financial interest or engaging in financial transactions to the same extent as a private citizen not employed by the Government so long as it is not prohibited by law, Executive Order 11222, Chapter 735 of the Federal Personnel Manual or this order.

§ 1100.14 Misuse of information.

An employee, for the purpose of furthering a private interest, shall not directly or indirectly use, or allow the use of, official information obtained through or in connection with his Government employment which has not been made available to the general public.

§ 1100.15 Support of Section programs.

(a) When a Section program is based on law or executive order, every employee has a positive obligation to make it function as efficiently and economically as possible and to support it as long as it is a part of recognized public policy. An employee may, therefore, properly make an address explaining and interpreting such a program, citing its achievements, defending it against uninformed or unjust criticism, pointing out the need for possible improvements, or soliciting views for improving it.

(b) An employee shall not, either directly or indirectly, use appropriated funds to influence a Member of Congress to favor or oppose legislation in violation of 18 U.S.C. 1913. However, an employee is not prohibited from:

(1) Testifying as a representative of the Section on pending legislation proposals before Congressional committees on request; or

(2) Assisting Congressional committees in drafting bills or reports on request, when it is clear that the employee is serving solely as a technical expert under the direction of committee leadership.

(c) Nothing in this order shall be construed as depriving an employee of his rights as a private citizen from peti-

22 CFR Ch. XI (4–1–99 Edition)

tioning or contacting elected representatives pertinent to expressing opinions regarding Governmental operations or pending legislation.

§ 1100.16 Disagreements between governmental officials.

An employee shall not make public any disagreements with, or criticism of, officials, policies, or practices of the Section or of other Federal agencies in areas relating to the Section's functions. Such matters may be brought to the attention of the Commissioner for appropriate action.

§ 1100.17 Use of government property.

An employee shall not directly or indirectly use, or allow the use of, Government property of any kind, including property leased to the Government, for other than officially approved activities. An employee has a positive duty to protect and conserve Government property including equipment, supplies, and other property entrusted or issued to him.

§ 1100.18 Gambling, betting, and lotteries.

An employee shall not participate, while on Government-owned or leased property or while on duty for the Government, in any gambling activity, including the operation of a gambling device; in conducting a lottery or pool; in a game for money or property; or in selling or purchasing a numbers slip or ticket.

§ 1100.19 Coercion.

An employee shall not use his Government employment to coerce, or give the appearance of coercing, a person to provide financial benefit to himself or another person, particularly one with whom he has family, business "mutual association", or financial ties.

§ 1100.20 General conduct prejudicial to the government.

An employee shall not engage in criminal, infamous, dishonest, immoral, or notoriously disgraceful conduct, or other conduct prejudicial to the Government.